

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
SAMUEL L. JONES JR.,

Plaintiff,

v.

INFINITY BROADCASTING CORP. OF
WASHINGTON, D.C. n/k/a C.B.S RADIO INC.
OF WASHINGTON, D.C.

Defendant.

-----X
BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

COPY MAILED / SIGNED ✓

COUNSEL FOR PLAINTIFF ✓

COUNSEL FOR DEFENDANT ✓

PLEA PRO SE _____

DPL PRO SE _____

DATE: 7/27/07

EX: MMM

: 07 Cv. 5693 (BSJ)

: **Amended Preliminary
Injunction .**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/27/07 AL

On July 24, 2007, I issued a written order setting forth the following:

Effective July 23, 2007 at 6:30 p.m., I ordered the following: Pursuant to Federal Rule of Civil Procedure 65(b), Jones and Radio One, and all those acting in concert or participation with them are preliminary enjoined from using the HUGGY LOWDOWN mark in any way in connection with any radio broadcast or promotion within the Washington, D.C. Total Survey Area, as defined by the Arbitron ratings service, until May 26, 2008. In accordance with Federal Rule of Civil Procedure 65(c), CBS Radio is to post a bond in the amount of \$250,000, as security. The bond is to be filed with the Clerk of Court by 5 p.m. on Wednesday, July 25, 2007.

(Preliminary Injunction Order, July 24, 2007.)

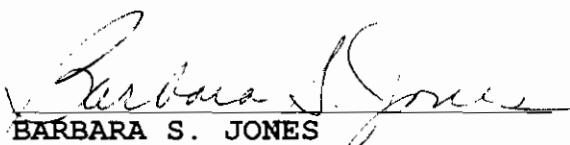
At a conference held on July 24, 2007, Plaintiff indicated to the Court that it intended to move for clarification of the Court's Order. (Conference Tr. 11, July 24, 2007.) In view of Plaintiff's request for clarification and the Court's own concern relating to the possible ambiguity in the word

"promotion," I ordered the parties to submit objections and/or proposed changes to the preliminary injunction language.

I have considered the parties' submissions and hereby amend the preliminary injunction to read as follows:

Pursuant to Federal Rule of Civil Procedure 65(b), Jones and Radio One, and all those acting in concert or participation with them, are preliminary enjoined, until May 26, 2008, from using the HUGGY LOWDOWN mark on any radio broadcast transmitted within the Washington, D.C. Total Survey Area, as defined by the Arbitron ratings service, or from using the HUGGY LOWDOWN mark in any media to promote directly or indirectly any such radio broadcast within the Washington, D.C. Total Survey Area.

SO ORDERED:


BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
July 27, 2007